UNITED STATES INTERNATIONAL TRADE COMMISSION Washington, D.C.

| |) | |
|---------------------------|---|------------------------------|
| |) | |
| In the Matter of |) | |
| |) | |
| CERTAIN FLOORING PRODUCTS |) | Investigation No. 337-TA-443 |
| AND COMPONENTS THEREOF | |) |
| |) | |
| |) | |
| |) | |

NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION TERMINATING THE INVESTIGATION AS TO ONE RESPONDENT ON THE BASIS OF A CONSENT ORDER; ISSUANCE OF CONSENT ORDER

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 31) issued by the presiding administrative law judge ("ALJ") terminating the above-captioned investigation as to respondent Tarkett, Inc.

FOR FURTHER INFORMATION CONTACT: Clara Kuehn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3012. Copies of all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (http://www.usitc.gov). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at http://dockets.usitc.gov/eol.public. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission ordered the institution of this investigation on December 27, 2000, based on a complaint filed on behalf of Alloc, Inc., Racine, Wisconsin; Berry

Finance N.V., Oostrozebeke, Belgium; and Välinge Aluminum AB, Viken, Sweden (collectively "complainants"). 66 Fed. Reg. 1155 (2001). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930 in the importation, sale for importation, and sale within the United States after importation of certain flooring products by reason of infringement of certain claims of U.S. Letters Patent 5,860,267 and 6,023,907. Id. The complaint identified seven respondents: Unilin Décor N.V., Wielsbeke, Belgium; BHK of America, Inc., Central Valley, NY; Pergo, Inc., Raleigh, NC; Meister-Leisten Schulte GmbH, Rüthen, Germany; Akzenta Paneele + Profile GmbH, Kaisersesch, Germany ("Akzenta"); Tarkett, Inc., Whitehall, PA ("Tarkett"); and Roysol, Saint-Florentin, France.

On October 22, 2001, complainants and respondents Akzenta and Tarkett filed a joint motion (Motion Docket No. 443-84) for an ID to terminate the investigation as to Tarkett on the basis of an attached consent order stipulation and proposed consent order. The Commission investigative attorney supported the joint motion. On October 25, 2001, the ALJ issued an ID (ALJ Order No. 31) granting the joint motion. No petitions for review were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and section 210.42 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.42.

By order of the Commission.

Donna R. Koehnke Secretary

Issued: November 23, 2001